

PATENT APPLICATION  
42P12399**Remarks**

Reconsideration of this application is requested. By this amendment, claim 12 has been cancelled and claims 1 and 13 have been amended. Accordingly, claims 1-11 and 13-20 are in the Application.

**New Matter Objection**

The Office action objects to the amendment filed on May 17, 2004 under 35 U.S.C. 132 because it introduces new matter into the disclosure. The Office action states that the added material which is not supported by the original disclosure is as follows: (1) a charge pump circuit, the charge pump circuit to provide a programming voltage potential to the memory array, and (2) a charge pump circuit further comprising a voltage regulator. This is apparently in response to the amendments to claims 1, 13, and 18 in Applicants' response filed May 17, 2004.

Regarding disclosure of "a charge pump circuit further comprising a voltage regulator," Applicants first submit that the amendments to claims 1, 13, and 18 never called for this limitation. On page 3, item 4, the Office action associates this rejection with claim 12. Although it is believed that claim 12 is supported by the original disclosure, to further prosecution of the Application, Applicants have canceled claim 12.

Regarding disclosure of "a charge pump circuit, the charge pump circuit to provide a programming voltage potential to the memory array," Applicants submit that this is not new matter." As discussed above, Applicants' claims 1 and 13

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have been amended. Further, at a minimum, Applicants submit that the amendments to claims 1 and 13 in the present response and the amendment to claim 18 in the prior response, make explicit that which was inherent in the original Application's disclosure.

Support for the amendments to claims 1, 13, and 18 may be found in Applicants' original disclosure. Specifically, referring to the sole FIGURE, Applicants' original disclosure discusses that integrated circuit die 14 in some embodiments may be a single-bit flash memory or multi-bit flash memory (see, for example, page 4, lines 9-12, of the original Application as filed). In addition, Applicants' original disclosure discusses that passive components 60 and 61 may be associated with charge pump circuitry (see, for example, page 4, lines 19-23, continuing to page 5, line 1, of the original Application as filed). Further, Applicants' original disclosure discusses that the embodiment illustrated in the sole FIGURE demonstrates a power supply in package (PSIP) arrangement (see, for example, page 6, lines 1-4, of the original Application as filed).

Accordingly, Applicants submit that upon reading Applicants' original Application as filed, it would have been clear to one of ordinary skill in the art at the time the present Application was filed that the inventors had possession of the claimed invention. To further support this, Applicants submit that it was well known at the time the present Application was filed that charge pump circuits were used to supply programming voltage potentials to nonvolatile memories such as, for example, flash memories (see, for example, column 1, lines 35-57, of US Patent No. 6,292,048).

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Therefore, Applicants submit that the original disclosure supports the amendments to claims 1, 13, and 18 in that, at a minimum, the amendments to claims 1, 13, and 18 make explicit that which was inherent in the original Application's disclosure.

**Response to 35 U.S.C. §112 Rejection**

The Office action rejects claims 1-20 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Office action states that the claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Office action further states that the specification does not describe a charge pump circuit, the charge pump circuit to provide a programming voltage potential to the memory array (claims 1, 13, and 18), and a charge pump circuit further comprising a voltage regulator (claim 12).

As mentioned above, claim 12 has been canceled. Further, as discussed above, Applicants submit that upon reading Applicants' original Application as filed, it would have been clear to one skilled in the art at the time the present Application was filed that the inventors had possession of the claimed invention. Thus, the rejection of claims 1-11 and 13-20 should be withdrawn.

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The Office action rejects claims 1, 6, 12, 13, 18, and 19 under 35 U.S.C. §103(a) as being unpatentable over Humphrey et al. (U.S. Patent No. 6,476,486) in view of Mart et al. (U.S. Patent No. 5,563,838) in view of Yao (U.S. Patent No. 5,838,204). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

**Office action has not established a prima facie case of obviousness**

It is respectfully submitted that there is no suggestion or motivation in the prior art to combine the cited documents of Humphrey et al. and Yao as suggested by the Examiner. Therefore, the Office action has failed to establish a prima facie of obviousness.

It is well established that in order to establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations (see e.g., M.P.E.P. §2142). In addition, a prima facie showing of obviousness may only be established if there is a clear suggestion from or in the prior art to make the modifications proposed by the Examiner. See *Gillette Co. v. S.C. Johnson & Son, Inc.* 919 F. 2d 720 (Fed Cir. 1990). Further, Applicants respectfully point out that the suggestion or motivation to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicants' disclosure. It is improper to rely on the teachings of Applicants' specification as a basis for combining the cited documents.

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On page 4 of the Office action, the Examiner states that Humphrey et al. in view of Mart et al. does not disclose a charge pump circuit. Then, the Examiner appears to conclude that one of ordinary skill in the art would have been motivated to combine Humphrey et al. and Yao because a charge pump circuit reduces noise and is used for a clock signal. Applicants disagree with this conclusion and submit that the Examiner has misconstrued the teachings of Humphrey et al. and Yao.

First, Applicants submit that Yao does not teach that a charge pump itself may be used to generate a clock signal. Yao discusses that a phase-locked loop (PLL) which includes, e.g., a phase detector, a loop filter, an oscillator, and a charge pump may be used as an on-chip clock in an application specific integrated circuit (ASIC) (see, for example, column 1, lines 6-31, of Yao). Further, there is no teaching in Humphrey et al. of the desirability for a clock signal. In addition, Yao does not teach that the charge pump itself reduces noise as suggested by the Examiner. To the contrary, Yao discusses that a charge pump generates noise (see, for example, column 1, lines 48-52, of Yao). Thus, there is no suggestion or motivation to include the charge pump of a PLL as discussed in Yao in Humphrey et al.

Therefore, there is no suggestion or motivation to combine Yao and Humphrey et al. as suggested by the Examiner, and the Office action has failed to establish a prima facie of obviousness. Accordingly, the rejections of claims 1, 6, 12, 13, 18, and 19 should be withdrawn and Applicants submit that these claims are in condition for allowance.

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**Response to 35 U.S.C. §103 Rejection of claims 2-4, 7-10, 14-17**

The Office action rejects claims 2-4, 7-10, and 14-17 under 35 U.S.C.

§103(a) as being unpatentable over Humphrey et al. (U.S. Patent No. 6,476,486) in view of Mart et al. (U.S. Patent No. 5,563,838) in view of Yao as applied to claims 1, 6, 12, 13, 18 and 19, and further in view of Spielberg (U.S. Patent No. 6,005,778). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

Claims 2-4 and 7-10 depend either directly or indirectly from claim 1 and are believed to be allowable for the same reasons as claim 1.

Claims 14-17 depend either directly or indirectly from claim 13 and are believed to be allowable for the same reasons as claim 13.

**Response to 35 U.S.C. §103 Rejection of claim 5**

The Office action rejects claim 5 under 35 U.S.C. §103(a) as being unpatentable over Humphrey et al. (U.S. Patent No. 6,476,486) in view of Mart et al. (U.S. Patent No. 5,563,838) in view of Yao as applied to claims 1, 6, 12, 13, 18 and 19, and further in view of Manning et al. (U.S. Patent No. 5,962,887). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

Claim 5 depends from claim 1 and is believed to be allowable for the same reasons as claim 1.

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The Office action rejects claim 11 under 35 U.S.C. §103(a) as being unpatentable over Humphrey et al. (U.S. Patent No. 6,476,486) in view of Mart et al. (U.S. Patent No. 5,563,838) in view of Yao as applied to claims 1, 6, 12, 13, 18 and 19, and further in view of Javanifard et al. (U.S. Patent No. 6,385,033). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

Claim 11 depends from claim 1 and is believed to be allowable for the same reasons as claim 1.

**Response to 35 U.S.C. §103 Rejection of claim 20**

The Office action rejects claim 20 under 35 U.S.C. §103(a) as being unpatentable over Humphrey et al. (U.S. Patent No. 6,476,486) in view of Mart et al. (U.S. Patent No. 5,563,838) in view of Yao as applied to claims 1, 6, 12, 13, 18 and 19, and further in view of Sundstrom (U.S. Patent No. 5,864,177). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

Claim 20 depends from claim 18 and is believed to be allowable for the same reasons as claim 18.

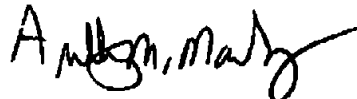
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42P12399**Conclusion**

In view of all of the above, it is believed that Applicants' claims are allowable, and the case is in condition for allowance, which action is earnestly solicited. Reconsideration of the rejections and objections is respectfully requested.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #50-0221.

If the Examiner believes that there are any informalities that can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 715-0624 is respectfully solicited.

Respectfully submitted,  
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Dated: November 1, 2004

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